SUBJECT No. 17.

Converts' Disabilities Removal Act

1. Messrs. S. R. Balakrishna Rao, B.A., LL.B., Advocate, Shimoga Municipality; 2. A. Narasimha Iyengar, Sagar Taluk; 3. C. Subba Rao, B.A., B.L., Advocate, Nagar Sabha; 4. M. Krishnamurthi Rao, Zamindar, Magadi; 5. Sivabasavadevaru, T. Narsipur Taluk; 6. Varahaswami Iyengar, Sri Yadugiri Sadananda Vardhini Sabha of Melkote; 7. Vedanta Iyengar, Chitaldrug Municipality; 8. Dastigiri Saheb, do; 9. P. Kassim Saheb, Hosdurga Taluk; 10. Nagappa, Hosdurga Taluk; 11. M. S. Ramachar, and 12. C. B. Gopala Rao, Kolar Municipality; 13. Venkatarangaiya, Hassan Municipality; 14. Shroff Dharnappa, Hassan Municipality.

Summary of discussion.—The Converts' Disabilities Removal Regulation may not be introduced into Mysore. This will interfere with the religious and social fabric of the Hindus and the Mahomedans. This will further encourage conversion to one religion at the expense of other religions.

Note.—The draft Regulation was published in a Gazette Extraordinary. Messrs. Balakrishna Rao, M. Venkatakrishnaiya, Amble Annaiya Pandit, M. S. Ramachar, Anantharajaiya and Milaraiya spoke on the subject, and referred to the objections contained in the memorials which have already been received against the passing of the Regulation.

SUBJECT No. 18.

Guardian and Wards Regulation.

Messrs. S. R. Balakrishna Rao, B.A., LL.B., Advocate, Shimoga Municipality; and M. C. Ranga Iyengar, City Municipality, Mysore.

Summary of discussion.—The Draft Regulation styled "The Guardian and Wards Regulation" may be passed into law. In British India, a similar Act was passed in 1890 (VIII of 1890). The law on the subject is unsettled at present.

Reply of Government.—The Draft Regulation on this subject will be referred to the Chief Court for opinion.

SUBJECT No. 19.

Introduction of Trust and Transfer of Property Acts.

Messrs. M. C. Ranga Iyengar, City Municipality, Mysore; Amble Annaiya Pandit of Mysore; and Yagaiyana Subba Rao, Sagar Taluk.

Summary of discussion.—It is requested that the Trust and Transfer of Property Acts may be introduced into the State with such alterations as may be found necessary.

Reply of Government.—The principles contained in these Acts are even now applied by the Courts as far as they are applicable to Mysore. Mr. M.C. Ranga Iyengar, however, may, as agreed to by him, send up a Draft Regulation extending such of the sections as are wanted for Mysore and noting the modifications required.

SUBJECT No. 20.

Amendment of the Stamp Regulation, II of 1900.

Mr. S. R. Balakrishna Rao, B.A., LL.B., Advocate, Shimoga Municipality.

Summary of discussion.—(1) Section 40 (*b*) of the Stamp Regulation enacts that a penalty of either Rs. 5 or ten times the proper duty or of the deficient portion thereof should be levied in cases coming within the scope of the section.

This is a very hard rule. The Deputy Commissioner has no discretion in the matter when he thinks that the penalty of Rs. 5, is too small. He will have to impose in that case the heaviest penalty, *i.e.*, ten times the duty. Thus if an unstamped document is liable to a duty of Rs. 5 the Deputy Commissioner will have to levy either Rs. 5 or Rs. 50 but not any amount between these two extremes. To obviate this hardship, the section may be amended by inserting the words "of a sum not exceeding" between the words "if he thinks fit" and the words "ten times the amount." In the old Act I of 1879, the corresponding Section 37 gave discretion in the matter: any sum between Rs. 5 and Rs. 50 as in the above instance could be levied in proportion to the importance of the case

(2) Section 35 (*a*) may be so amended as to enable the Courts admitting unstamped documents in evidence by giving them the discretion as above proposed. The amendment may be made by inserting the words "of any sum not exceeding ten times" in place of "of a sum equal to ten times" in the penultimate line of the section.

Reply of Government.—The reasons adduced are not sufficient to alter the existing law.

SUBJECT No. 21.

Amildars to be empowered to try Civil cases.

Messrs. Tuppada Viranna of Challakere Taluk and Shanbhog Hanumantappa, District Board Member, Chitaldrug.

Summary of discussion.—Prior to the establishment of the Munsiffs' Courts in the State, the Amildars were empowered to try all cases of a Civil nature relating to Revenue matters, which was of great advantage to the Agricultural population. The present system of resorting to Munsiffs' Courts has caused them unnecessary annoyance and trouble. It is requested that the former system may be revied.

Reply of Government.—It is not possible to do so.

SUBJECT No. 22.

The Small Causes Regulation

Mr. S. R. Balakrishna Rao, B. A., LL. B., Advocate, Shimoga Municipality.

Summary of discussion.—The Draft Regulation styled "The Mysore Small Causes Regulation" may be passed into law. This will settle many doubtful questions as to the jurisdiction of Small Cause Courts.

Reply of Government.—This Regulation is now before Government, and will be taken up soon for consideration.

SUBJECT No. 23.

Amendment of the Regulation of Refunds.

Mr. B. Mailaraiya of Seringapatam.

Summary of discussion.—Amendment of the provision of the Regulation about refund of half the stamp in non-contested civil cases struck off the file as compromised out of Court, and reported by plaintiff, is prayed for.

Reply of Government.—The opinion of the Chief Court will be asked for.

SUBJECT No. 24

Amendment of the Legal Practitioners' Regulation.

Messrs. B. Milaraiya of Seringapatam; Balavanta Rao, Arsikere Taluk; and Varada Iyengar, Hassan Taluk.

Summary of discussion.—Amendment of the Legal Practitioners' Regulation by doing away with the distinction between 1st and 2nd grade pleaders, or extending the practice of the 2nd grade pleaders to Subordinate Judges' Courts, on the original and small cause sides, is proposed.

Reply of Government.—This is not possible. Government have more than once declined to extend the provisions of the Regulation in this respect.

SUBJECT No. 25.

Amendment of the Inam Revenue Code.

(*a*) Mr. Jahgirdar Madappa of Mysore.
(*b*) Mr. M C. Ranga Iyengar, Mysore.

Summary of discussion.—(*a*) According to the Land Revenue Code, Section 54, the land revenue on Government occupied land is the paramount charge on the holding. But many Judges are of opinion that it is doubtful whether that rule is applicable to Inam lands. As the Chief Court has decided that the revenue due to an Inamdar for an Inam land is not the paramount charge on the holding, it is requested that that section of the Code may be so amended as to make it applicable to Inam lands.

(*b*) The rent payable by an inferior holder to a superior holder in an alienated holding be made an first charge